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DECISION ON PETITION

Poulsen Roger ApS
2550 Old Military Road
Central Point OR 97502

In re Application of
Pernille L. Olesen and Mogens N. Olesen
Application No. 09/655,262
Filed: September 5, 2000
Title: 'POULMIST'

This is a decision on the petition under 37 C.F.R. §1.137(a), filed on October 9, 2002, which is properly treated as a petition under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment.

The petition under 37 C.F.R. §1.181(a) is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice of Missing Parts (notice), mailed November 20, 2000, which set a shortened statutory period for reply of two (2) months. The Notice indicated that the oath or declaration was missing. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on January 21, 2001. A Notice of Abandonment was mailed on August 5, 2002.

On January 24, 2003, a Status Inquiry was received.

Petitioner submits that a declaration was included on filing. A fully executed declaration has been located in the file, and this declaration is date-stamped September 5, 2000. Therefore, it is clear that this declaration was included on filing.

As such, it is decided that the Notice was in error. In view thereof, the petition under 37 CFR §1.181(a) is **GRANTED**. The holding of abandonment is hereby **WITHDRAWN**.

No petition fee is required. The petition fee has been refunded to petitioner's Deposit Account, as authorized in the petition.

The application is being forwarded to Technology Center 1600 for further processing.

It is noted that the petitioner is not a registered practitioner, and the address listed on the petition differs from the address of record. The application file does not indicate a change of correspondence address has been filed in this case, although the address given on the petition differs from the address of record. If the inventors wish for the petitioner to receive future correspondence regarding this application, they must submit the change of correspondence address. A courtesy copy of this decision will be mailed to petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary. Petitioner will not receive future correspondence unless a Change of Correspondence Address Form (PTO/SB/122) is submitted for the above-identified application. A blank Change of Correspondence Address Form (PTO/SB/122) may be found at <http://www.uspto.gov/web/forms/sb0122.pdf>.

Telephone inquiries concerning this decision should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011.



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